

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yang et al.

Serial No: Not Yet Assigned

Filed: Herewith

For: *Cell Regulatory Genes, Encoded Products, and
Uses Related Thereto*

Atty Docket No.: HMV-038.04

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

CERTIFICATE OF EXPRESS MAILING

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By: 

John Barretto

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97 (b)(3)

Sir:

Submitted herewith on Form PTO-1449 is a list of publications known to Applicants and/or their Attorney/Agent in compliance with the requirement of 37 C.F.R § § 1.56 and 1.97(c). Copies of some these publications were submitted in association with co-pending related application U.S.S.N.: 09/174,493, filed on October 15, 1998 and therefore are not required to be provided in this application. In particular, references cited herein as AA-AK were submitted as references AA-AK in the IDS filed on July 15, 1999 and references cited herein as AL-BO were submitted as references AA-BD in the IDS filed on September 12, 2002. Copies of publications (BP-BS) are provided herewith.

Applicants have cited for the Examiner's consideration certain issued U.S. patents and co-pending U.S. patent applications that are owned at least in part by the assignee of this application, that describe subject matter related to the present invention. The co-pending applications are listed herewith in accordance with M.P.E.P. 609 III.D which states: "Applicants may wish to list U. S. patent application numbers on other than Form PTO-1449 or PTO/SB/08A and 08B format to avoid the application numbers of pending applications being published on the patent. If a citation is not printed on the patent but has been considered by the examiner in accordance with this section, the patented file will reflect that fact as noted in subsection III.C(2) above."

No copies of the co-pending applications have been provided. If the Examiner wishes to have copies of the co-pending applications, Examiner should contact the Attorney of record. Applicants respectfully request that the Examiner consider these listed documents and indicate that each was considered by making appropriate notations on this Information Disclosure Statement.

Examiner Initials	Our docket no.	S.N.	Title	Filing Date	Status	Document Enclosed
	HMV-038.01	09/174,493	Cell Regulatory Genes, Encoded Products, and Uses Related Thereto	October 15, 1998	Pending	No.
	HMV-038.02	09/538,106	Cell Regulatory Genes, Encoded Products, and Uses Related Thereto	March 29, 2000	Pending	No.
	HMV-038.03	09/529,583	Cell Regulatory Genes, Encoded Products, and Uses Related Thereto	October 15, 1998	Pending	No.
Date Considered:				Examiner's Name:		

Applicants have listed dates of publication on the attached Form PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO-1449.

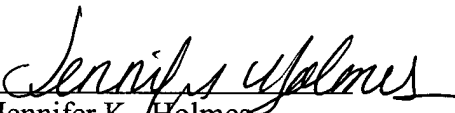
This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, the Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Although we believe that we have provided for the fee due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our **Deposit Order Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully submitted,

FOLEY HOAG LLP

By: 
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>			Docket Number (Optional) HMV-038.04		Application Number Not Yet Assigned	
			Applicant Yang et al.			
			Filing Date Herewith		Group Art Unit Not Yet Assigned	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO
	AA	WO 97/28186	08/07/97	PCT (English Abstract)		
	AB	WO 99/19357	04/22/99	PCT		
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages Etc.)</i>						
	AC	Kaghad, M. et al., "Monoallelically Expressed Gene Related to p53 at 1p36, a Region Frequently Deleted in Neuroblastoma and Other Human Cancers", <i>Cell</i> , Vol. 90: 809-819 (Aug 22, 1997).				
	AD	Killary, et al., "Definition of a tumor suppressor locus within human chromosome 3p21-p22", <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 89, pp 1087-10881 (Nov. 1992)				
	AE	Oren, "Lonely no more: P53 finds it kin in a tumor suppressor haven", <i>Cell</i> Vol. 90:829-832, September 1997.				
	AF	Shaw, H. Phillip, "The Role of p53 in Cell Cycle Regulation", <i>Path. Res. Pract.</i> 192: 669-675 (1996)				
	AG	Schmale, H. and Bamberger, C., "A novel protein with strong homology to the tumor suppressor p53", <i>Oncogene</i> , 15: 1363-1367, (1997)				
	AH	Steven Dickman, "First p53 Relative May Be a New Tumor Suppressor", <i>Science</i> , Vol. 277: 1605-1606 (12 September 1997).				
	AI	Wang, T. , and Wang ¹ , H., "p53, Appoptosis and Human Cancers", <i>J. Formos Med. Assoc.</i> Vol. 95, No. 7 (1996).				
	AJ	Wylie Andrew., "Clues in the p53 murder mystery", <i>Nature Vol.</i> 389: 237-238 (18 September 1997).				
	AK	Yang, et al., "p63, a p53 Homolog at 3q27-29, Encodes Multiple Products with Transactivating, Death-Inducing and Dominant-Negative Activities", <i>Molecular cell</i> , Vol. 2:1-20 (September 1998).				
EXAMINER				DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER		DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	AL	WO 94/08241	April 14, 1994	PCT				
	AM	FR 2 692 594	23 Dec 1993	France				
	AN	WO 94/01563	20 Jan 1994	PCT				
	AO	EP 377295	11 July 1990	Europe				

OTHER DOCUMENTS*(Including Author, Title, Date, Pertinent Pages Etc.)*

	AP	Arai et al., "Immunologically Distinct p53 Molecules Generated by Alternative Splicing" <i>Mol. Cell. Biol.</i> 6(9): 3232-3239 (September 1986).
	AQ	Bargonetti, J. et al., "Site-Specific Binding of Wild-Type p53 to Cellular DNA is Inhibited by SV40 T Antigen and Mutant p53", <i>Genes Dev</i> 6(10): 1886-1898 (October 1992).
	AR	Bodrug, "Molecular Analysis of a Constitutional X-Autosome Translocation in a Female with Muscular Dystrophy", <i>Science</i> 237: 1620-1624 (6 April 1993).
	AS	De Fromentel et al., "Rainbow Trout p53: cDNA Cloning and Biochemical Characterization", <i>Gene</i> 112: 241-245 (1992).
	AT	Desquiedt et al., "Nucleotide Sequence of Bovine p53 Tumor-Suppressor cDNA", <i>DNA Seq.</i> 5(4): 261-264 (1995).
	AU	El-Deiry, WS et al., "Definition of a Consensus Binding Site for p53", <i>Nat Genet</i> 1(1): 45-49 (April 1992).
	AV	Gryaznov et al., "Selective O-Phosphorylation With Nucleoside Phosphoramidite Reagents," <i>Nucleic Acids Research</i> , 20(8):1879-1882 (1992).
	AW	Hall, P. et al., "Expression of the p53 Homologue p63 α and Δ Np63 α in Normal and Neoplastic Cells" <i>Carcinogenesis</i> , 21(2):153-160 (Feb. 2000).

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	AX	Iwase et al., "Identification of Protein-Tyrosine Kinase Genes Preferentially Expressed in Embryo Stomach and Gastric Cancer," <i>Biochemical & Biophysical. Research. Communications.</i> , 194(2):698-705 (July 1993).
	AY	Kraegel et al., "Sequence Analysis of Canine p53 in the Region of Exons 3-8" <i>Cancer Letters</i> 92(2): 181-186 (June 8, 1995).
	AZ	Kunz, Jeannette et al., "Target of Rapamycin in Yeast, TOR2, Is and Essential Phosphatidylinositol Kinase Homolog Required for G1 Progression", <i>Cell</i> 73: 585-596 (May 7, 1993).
	BA	McNaughton et al., "A Cluster of Transposon-Like Repetitive Sequences in Intron 7 of the Human Dystrophin Gene" <i>J. Mol. Biol.</i> , 232(1):314-321 (1993).
	BB	Neumann et al., "Multifactorial Inheritance of Neural Tube Defects: Localization of the Major Gene and Recognition of Modifiers in ct Mutant Mice," <i>Nature Genetics</i> , 6(4):357-362 (April 1994).
	BC	Oren, M. "Relationship of p53 to the Control of Apoptotic Cell Death", <i>Semin Cancer Biol</i> 5(3): 221-227 (June 1994).
	BD	Parsa, R. et al., "Association of p63 Proliferative Potential in Normal and Neoplastic Human Keratinocytes" <i>J. Invest Dermatol</i> , 113:1099-1105 (Dec. 1999).
	BE	Righi, E. et al., "Does p53 Immunostaining Improve Accuracy in Urine Cytology?" <i>Diagnostic Cytopathology</i> , 17(6):436-439 (Dec. 1997).
	BF	Shaw, H. Phillip., "The Role of p53 in Cell Cycle Regulation," <i>Path. Res. Pract.</i> 192: 669-675 (1996).
	BG	Strano, Sabrina et al., "From p53 to p53 Across p73", <i>FEBS Letters</i> 490: 163-170 (2001).

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	BH	Sturzbecher, HW et al., "Mutant p53 Proteins Bind hsp 72/73 Cellular Heat Shock-Related Proteins in SV40-Transformed Monkey Cells", <i>Oncogene</i> 1(2): 201-211 (May 1987).
	BI	Teoule et al., "Gamma-Irradiation of Homodeoxyoligonucleotides ³² P-Labelled at One End: Computer Smulation of the Chain Length Distribution of the Radioactive Fragments," <i>Int. J. Radiat. Biol. Relat. Stud. Phys., Chem. Med.</i> , 51(3):429-439 (1987).
	BJ	Wang, T. et al., "p53, Apoptosis and Human Cancers," <i>J. Formos Med. Assoc.</i> , 95(7):509-522 (1996).
	BK	Wilson et al., "2.2. Mb of Contiguous Nucleotide Sequence from Chromosome III of C. Elegans", <i>Nature</i> , 368: 32-38 (1994).
	BL	Yang et al., "p63, a p53 Homolog at 3q27-29, Encodes Multiple Products with Transactivating, Death-Induced, and Dominant-Negative Activities," <i>Molecular Cell</i> 2: 1-20 (September 1998).
	BM	Yang et al., "P63 and P73: P53 Mimics, Menaces and More", <i>Nat Rev Mol Cell Biol</i> 1(3): 199-207 (Dec. 2000).
	BN	Yang et al., "p63 Is Essential for Regenerative Proliferation In Limb, Craniofacial and Epithelial Development," <i>Nature, Vol. 398</i> :714-178 (Apr. 1999).
	BO	Sequence alignments cited in co-pending application.
	BP	Burgess et al., "Possible Dissociation of Heparin-binding and Mitogenic Activities of Heparin (Acidic Fibroblast) Growth Factor-1 from Its Receptor-binding Activities by Site-Directed Mutagenesis of a Single Lysine Residue",
	BQ	Lazar et al., "Transforming Grown Factor α : Mutation of Aspartic Acid 47 and Leucine 48 Results in Different Biological Activities,

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	BR	Pujol et al (Proc Amer Ass of Cancer Res Ann Meeting 1994; 35(0):165)- Abstract Only
	BS	Li et al (Zhonghua Zhongliu Zazhi 1994; 16(3):172-176)- Abstract Only

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